

# House Amendment 1365

PAG LIN

1 1 Amend Senate File 354, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 6, line 4, by striking the words 1 4 extended family members of the  
child,> and inserting  
1 5 the following: 1 6 has custody of the child or with whom the child  
1 7 resides,>.  
1 8 #2. Page 13, by striking lines 26 and 27 and  
1 9 inserting the following:  
1 10 1 11 the child's family concerning community resources that  
1 12 may be able to offer housing, financial, and  
1 13 transportation assistance and actively assisting the  
1 14 family in accessing the community resources.>  
1 15 #3. By striking page 14, line 17 through page 15,  
1 16 line 12 and inserting the following:  
1 17 <2. Within seventy-two hours following the  
1 18 issuance of an order of emergency removal or placement  
1 19 of an Indian child, the court issuing the order shall  
1 20 notify the Indian child's tribe of the emergency  
1 21 removal or placement by registered mail, return  
1 22 receipt requested. The notice shall include the court  
1 23 order, the petition, if applicable, any information  
1 24 required by this chapter, and a statement informing  
1 25 the child's tribe of the tribe's right to intervene in  
1 26 the proceeding.  
1 27 3. A motion, application, or petition commencing  
1 28 an emergency or temporary removal under section 232.79  
1 29 or 232.95 or foster care placement proceeding under  
1 30 chapter 232 involving an Indian child shall be  
1 31 accompanied by all of the following:  
1 32 a. An affidavit containing the names, tribal  
1 33 affiliations, and addresses of the Indian child, and  
1 34 of the child's parents and Indian custodians.  
1 35 b. A specific and detailed account of the  
1 36 circumstances supporting the removal of the child.  
1 37 c. All reports or other documents from each public  
1 38 or private agency involved with the emergency or  
1 39 temporary removal that are filed with the court and  
1 40 upon which any decision may be based. The reports  
1 41 shall include all of the following information, when  
1 42 available:  
1 43 (1) The name of each agency.  
1 44 (2) The names of agency administrators and  
1 45 professionals involved in the removal.  
1 46 (3) A description of the emergency justifying the  
1 47 removal of the child.  
1 48 (4) All observations made and actions taken by the  
1 49 agency.  
1 50 (5) The date, time, and place of each such action.  
2 1 (6) The signatures of all agency personnel  
2 2 involved.  
2 3 (7) A statement of the specific actions taken and  
2 4 to be taken by each involved agency to effectuate the  
2 5 safe return of the child to the custody of the child's  
2 6 parent or Indian custodian.>  
2 7 #4. Page 26, by striking lines 21 through 31 and  
2 8 inserting the following:  
2 9 <1. The department of human services, in  
2 10 consultation with Indian tribes, shall establish  
2 11 standards and procedures for the department's review  
2 12 of cases subject to this chapter and methods for  
2 13 monitoring the department's compliance with provisions  
2 14 of the federal Indian Child Welfare Act and this  
2 15 chapter. These standards and procedures and the  
2 16 monitoring methods shall be integrated into the  
2 17 department's structure and plan for the federal  
2 18 government's child and family service review process  
2 19 and any program improvement plan resulting from that  
2 20 process.>  
2 21 #5. By renumbering as necessary.  
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2 25 BODDICKER of Cedar  
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2 29 FOEGE of Linn  
2 30 SF 354.702 80  
2 31 jp/cl

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